

which is going to be available until 2020. Nuclear also benefits from Price-Anderson Federal liability insurance that Congress provided. That was supposed to be a temporary measure in 1958, but this temporary measure has been renewed through 2025. Nuclear energy has also received \$74 billion of Federal research and development dollars since 1950.

Are those crony capitalist handouts? Well, nobody seems to be attacking them. Is it time to end the market distortions for nuclear power? Well, nobody is talking about that. But they are talking about wind energy.

We had a Cato study about nuclear energy that said:

In truth, nuclear power has never made economic sense and exists purely as a creature of government.

People are saying that about wind energy, but I don't hear the same people saying it about nuclear power.

I don't understand the argument that repealing a subsidy for oil and gas or nuclear energy production is a tax increase like the accusation against wind, while repealing an incentive on alternative or renewable energy is not a tax increase. So it is not intellectually honest.

As I said before, we have had wind incentives since 1992, and I am the father of that. I suppose now, after 22 years, you might say I am the grandfather of it. I know it won't go on forever. In fact, it was never meant to go on forever. And people in the wind energy even admit that today and talk about phaseouts.

I am happy to discuss a responsible multiyear phaseout of that wind tax credit. In 2012, the wind energy was the only industry to put forward such a phaseout plan. But any phaseout must be done in the context of comprehensive tax reform where all energy tax provisions are on the table, not just wind solely. And it should be done responsibly, over a few years, to provide certainty and ensure a viable industry.

It is time to put an end to the annual kabuki dance that is tax extenders. Good tax policy requires certainty that can only come from long-term predictable tax law. Businesses need the certainty in the Tax Code so they can plan and invest accordingly.

Moreover, taxpayers deserve to know that the Tax Code is not just being used as another way to dole out funds to politically favored groups. However, the only sound way to reach this goal is through comprehensive tax reform.

I agree there are provisions in extenders that ultimately should be left on the cutting room floor. But it is in tax reform—comprehensive tax reform—where we should consider the relative merits of individual provisions. Targeting certain provisions for elimination now makes little sense for those of us who want to reduce tax rates as much as possible.

Tax reform provides an opportunity to use realistic baselines that will allow the revenue generated from cut-

ting back provisions to be used to pay for reductions in individual and corporate tax rates.

I look forward to working with my colleagues in the future to enact tax reform and put an end to the headaches and uncertainty created by the regular expiration of tax provisions. Right now our focus must be on extending current expired or expiring provisions to give us room to work towards that goal.

It is my hope that we can move quickly to reach a bipartisan, bicameral agreement that can quickly be enacted and that includes the wind energy tax provisions. Taxpayers have already waited too long.

What really gripes me about this whole argument is that people say they are for all of the above. I am for all of the above, I can say. You know, that means fossil fuels, that means all sorts of alternative energy, it probably includes conservation, and it includes nuclear. But when I see the people fighting the wind energy tax credit coming from petroleum and natural gas and from coal, I think of these people who say they are for all of the above, they are really for all of the below but for none of the above. And that is wrong and inconsistent.

I want a consistent, uniform tax policy for all forms of energy being extended right now.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WALSH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. WALSH. Madam President, I ask unanimous consent that the previous order be modified so that the following nomination be added following Executive Calendar No. 962: Calendar No. 1008, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WALSH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Wisconsin. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PEPPER NOMINATION

Mr. JOHNSON of Wisconsin. Madam President, it is my privilege to recommend to the Senate the Honorable

Pamela Pepper to be a U.S. district judge for the Eastern District of Wisconsin. Patty served with distinction and is the current chief judge of the U.S. Bankruptcy Court for the Eastern District of Wisconsin.

Although not native to our State, she has set down deep roots in Wisconsin, first serving in the Office of the United States Attorney for the Eastern District of Wisconsin, followed by private practice in Milwaukee and finally serving 9 years as a bankruptcy court judge.

Pam was born in the delta of Mississippi in a town called Leland. Her parents were both teachers and instilled in her an intellectual curiosity which has been apparent throughout her career. She migrated north for college and attended Northwestern University in Chicago, where she received a degree in theater.

After helping a friend get through the LSAT review course, she realized she might want to explore other careers and ended up taking the LSAT herself. She obviously had prepared herself well because she performed well on the LSAT and was accepted into the Cornell University School of Law.

After graduation, she clerked with distinction for Judge Frank Johnson on the Eleventh Circuit Court of Appeals and then moved on to become a prosecutor in the U.S. Attorney's Office in Chicago.

She is widely respected within her profession, evidenced by having held offices as the president of the Milwaukee Bar Association and the chairperson of the Board of Governors of the State Bar of Wisconsin. She is an instructor of national stature and speaks frequently on trial practice and evidence. She is currently an instructor at the Federal Judicial Center.

I have had the opportunity to speak to practitioners who have appeared before her bankruptcy court. They have told me of her patience with attorneys, which is a virtue of hers they all value.

Pam possesses a great sense of humor, which she often uses to put litigants at ease. She displays compassion in making tough decisions by explaining the rationale for those decisions clearly so her reasoning is understood by all. She has shown great dexterity in reacting to difficult situations in court with calm reasoning.

Finally, Pam has been described as a practical judge who promptly resolves disputes while faithfully adhering to the rule of law.

Pam's intellectual curiosity, her demonstrated ability to learn new areas of the law and efficiently administer her office, has convinced me she will continue to excel in her new role as a Federal district court judge. Judge Pepper has my full support, and I urge my colleagues to vote yes on her confirmation.

I conclude my remarks by thanking the hard-working members of our bipartisan nomination commission for their dedication and efforts.

I also thank Senator BALDWIN for her continued support of this successful nominating process that has once again resulted in the selection of a well-qualified jurist, Judge Pamela Pepper, who will serve the N and the Wisconsin Eastern District well.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. I rise this afternoon to urge my colleagues to confirm Judge Pamela Pepper for the U.S. District Court for the Eastern District of Wisconsin. I am delighted to once again join my colleague Senator JOHNSON on the floor to discuss this nomination.

The people of Wisconsin deserve to have experienced and highly qualified judges working for them, and I am proud to have worked with my colleague Senator JOHNSON and our judicial nominating commission to put in place this process for filling the critical Federal judicial vacancies in our State. I was pleased to join Senator JOHNSON in May of this year to support the confirmation of Jim Peterson, whom the Senate confirmed to a seat for a Federal judgeship in the Western District of Wisconsin. I am pleased to stand on the floor with my colleague today to speak in support of another terrific judicial nominee who will serve the people of Wisconsin well.

Judge Pepper is an outstanding bankruptcy judge, and she will be an outstanding U.S. Federal district judge.

As President Obama noted in making the nomination, "Judge Pepper has a long and distinguished record of service, and . . . will serve on the federal court with distinction."

Pam Pepper has indeed dedicated her professional career to public service. She has a distinguished career as a judge, Federal prosecutor, public defender, and attorney in private practice. She has spent that career dedicated to serving her clients and the people of the United States. I am confident she will continue her outstanding service on the bench, and the people of Wisconsin will benefit from having this experienced and dedicated public servant as a U.S. district judge.

As we have heard, she has served as the chief bankruptcy judge in the Eastern District of Wisconsin since 2010, having served as a bankruptcy judge in that district since 2005. She simultaneously served the people of the Southern District of Illinois as a bankruptcy judge during that same period. Judge Pepper has contributed significantly to the field of bankruptcy law and the continuing education of bankruptcy judges and practitioners.

Prior to her time on the bench, Pamela Pepper worked both as a solo practitioner engaged in criminal defense work and as a Federal prosecutor in the U.S. Attorney's Offices in Chicago and then Milwaukee.

Before becoming a bankruptcy judge, Pam Pepper also held numerous leadership positions within the legal community, including on the boards of the Federal Defenders Service of Wis-

consin, the State Bar of Wisconsin, the Eastern District of Wisconsin Bar Association, and the Milwaukee Bar Association, just to name a few.

Senator JOHNSON and I strongly support Judge Pepper's nomination to the U.S. District Court for the Eastern District of Wisconsin. Our joint support of a judicial nominee should once again send a strong message to the entire Senate that she is the right choice for this judgeship.

I urge my colleagues to confirm judge Pamela Pepper so that she can continue her distinguished service to the people of Wisconsin and the people of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business until 2 p.m.

Mr. LEAHY. I thank the distinguished Presiding Officer.

#### IMMIGRATION

Mr. LEAHY. Madam President, as we know, tonight President Obama is going to speak to the American people about reforming our broken immigration system. I had dinner with him last night, and we talked about this. I think it is generally expected that he will announce what he can do to address some of the problems that are tearing families apart, dragging the U.S. economy down and risking our national security. For 2 years the Republican Speaker of the House of Representatives refused to even allow a vote on the Senate's bipartisan bill. Because of that, I understand and appreciate why the President is going to act.

There are currently 11 million undocumented immigrants living in the United States, but everybody knows we are not going to round up and deport 11 million people. It just can't be done. Even if it could be done, it would be totally un-American and against everything that we stand for. These are, after all, mothers and fathers, sisters and brothers, sons and daughters. They are not a number. They are real people. And the President's action will acknowledge that. It is a necessary step in an effort to bring people out of the shadows, focus scarce enforcement resources on those who actually pose a threat, and bring some stability to those who are hardworking, law-abiding members of our community. I would much rather have people who are taxpayers and know they are here legally, so we can concentrate on those who aren't. That is what the President wants to do.

President Obama knows there is no substitute for legislation. President Reagan and President Bush used a similar type of Executive order. It is a temporary and incomplete solution because legislation has to be passed. We have to step up and fix the broken im-

migration system once and for all, as we did in the Senate when Republicans and Democrats came together last year. But to those who say we should wait for Congress to act, I think we have waited long enough.

We have been waiting now for 511 days since the Senate passed immigration reform. That is 511 days, during which time the Republican-controlled House of Representatives could have taken up our bill—either voted for it or voted against it. The least they could do is vote. Vote "yes" or vote "no." I think about what my friend and the former chairman of the Senate Judiciary Committee, Senator Edward Kennedy, said in the summer of 2007. We had comprehensive immigration reform before the Senate. It was being blocked by the Republicans. He said:

A minority in the Senate rejected a stronger economy that is fairer to our taxpayers and our workers. A minority in the senate rejected America's own extraordinary immigrant history and ignored our nation's most urgent needs. But we're in this struggle for the long haul.

Senator Kennedy was right. That is why Democrats and Republicans came together to pass an immigration bill out of the Senate. I just ask why, 511 days later, has the Republican-controlled House refused to either vote for it or vote against it? We held days of hearings and lengthy, extensive markup sessions. We worked late into the evenings debating the bill. Many of us worked weekends. I remember, because I was there. We considered hundreds of amendments. More than 300 amendments were filed. We adopted 136 of them. All but three were adopted with both Republican and Democratic votes. What was initially a proposal from the so-called Gang of 8 became, through the committee process, the product of 18 Members from both sides of the aisle. The Senate Judiciary Committee recommended this improved bipartisan bill to the full Senate. It wasn't exactly the bill that I would have written, but it was a fair and reasonable compromise. It reflected the deliberative process at its best, and I felt honored to bring the bill to the floor.

But look what happened. Sixty eight of us voted to pass it, and the Republican Speaker of the House of Representatives will not even bring it up for a vote. To this day, the Republican leadership in the House is batting zero when it comes to truly addressing the broken immigration system.

The President is not acting alone. The American people support immigration reform. Remember that. The American people support immigration reform. A bipartisan majority of the Senate has endorsed action. It is the House of Representatives that is out of step. Our system is not going to fix itself. We know this. It should be no surprise that the President has decided to use his authority to make our country safer, stronger, and more humane. If Republicans really, truly want congressional action on reform, they can